

 **Oklahoma Statutes Citationized**
 **Title 63. Public Health and Safety**
 **Chapter 1 - Oklahoma Public Health Code**
 **Alternatives-to-Abortion Services**
 **Article Article 7 - Hospitals and Related Institutions**
 **Section 1-740.13 - Form Used to Obtain Consent of a Minor - Validity - Required Contents**

Cite as: O.S. §, \_\_ \_\_

A. A form created by the **State Department of Health** shall be used by physicians to obtain the consent required prior to performing an abortion on a minor who is not emancipated.

B. A form is not valid, and therefore consent is not sufficient, unless:

1. A parent or legal guardian initials each page of the form, indicating that he or she has read and understands the information included on that page;
2. A parent or legal guardian signs the last page of the form in front of a person who is a notary public;
3. The minor initials each list of risks and hazards listed in subsection C of this section;
4. The minor signs a consent statement described in subsection C of this section; and
5. The physician signs the declaration described in subsection C of this section.

C. The form shall include, but not be limited to, the following:

1. A description of the minor's rights, including her right to informed consent;
2. A description of the parent or legal guardian's rights pursuant to Oklahoma law;
3. A detailed description of the surgical and medical procedures that are planned to be performed on the minor;
4. A detailed list of the risks and hazards related to the surgical and medical procedures planned for the minor, including but not limited to:
  - a. risks and hazards that may occur in connection with any surgical, medical, or diagnostic procedure, including but not limited to infection, blood clots in veins and lungs, hemorrhage, allergic reactions, and death,
  - b. risks and hazards that may occur with surgical abortion, including but not limited to hemorrhage, uterine perforation, sterility, injuries to the bowel and bladder, hysterectomy as a result of complication or injury during the procedure, and failure to remove all products of conception that may result in an additional procedure,
  - c. risks and hazards that may occur with a medical or nonsurgical abortion, including but not limited to hemorrhage, failure to remove all products of conception that may result in an additional procedure, sterility, and possible continuation of pregnancy, and
  - d. risks and hazards of the particular procedure planned for the minor, including but not limited to cramping of the uterus, pelvic pain, infection of the uterus, tubes, and ovaries, cervical laceration, incompetent cervix, and emergency treatment for any of the above named complications;
5. A description of additional information that must be provided by the physician to the minor pursuant to the provisions of Section 1-730 et seq. of this title;
6. A consent statement which must be signed by the minor. The consent statement must include, but not be limited to, the following requirements, which must each be individually initialed by the minor:

- a. that the minor understands that the doctor is going to perform an abortion on her which will end her pregnancy and result in the death of her unborn child,
- b. that the minor is not being forced to have an abortion and that she has the choice not to have the abortion and may withdraw consent prior to the abortion,
- c. that the minor gives permission for the procedure,
- d. that the minor understands that there are risks and hazards that could affect the minor if she has the surgical or medical procedures planned for her,
- e. that the minor has been given the opportunity to ask questions about her condition, alternative forms of treatment, risks of not receiving treatment, the procedures to be used, and the risks and hazards involved,
- f. that the minor has been given information required by Section 1-730 et seq. of this title, and
- g. that the minor has sufficient information to give informed consent;

7. A physician declaration, which must be signed by the physician, stating that the physician or his or her assistant has explained the procedure and the contents of this form to the minor and her parent or legal guardian, as required, and has answered all questions. Further, to the best of the physician's knowledge, the patient and her parent or legal guardian have been adequately informed and have consented to the procedure;

8. A parental consent statement stating that the signing parent or legal guardian:

- a. understands that the doctor signing the physician declaration is going to perform an abortion on the minor which will end her pregnancy and result in the death of her unborn child,
- b. that the parent or legal guardian had the opportunity to read this form or have it read to him or her and has initialed each page,
- c. that the parent or legal guardian had the opportunity to ask questions to the physician or the physician's assistant about the information in this form and the surgical and medical procedures to be performed on the minor,
- d. that the parent or legal guardian believes he or she has sufficient information to give informed consent, and
- e. that by the parent or legal guardian's signature, the parent or legal guardian affirms that he or she is the minor's parent or legal guardian;

9. A page for the parent or legal guardian's signature that must be notarized by a notary public; and

10. Any additional information that must be provided pursuant to applicable laws of this state.

### Historical Data

Laws 2013, HB 1361, c. 268, § 4, eff. November 1, 2013.

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